

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

Legislative Actuarial Note

RETIREMENT

BILL NUMBER: House Bill 538 (Second Edition)

SHORT TITLE: LGERS LEO Disability/Add Sheriffs' Assn.

FUNDS AFFECTED: Local funds

SYSTEM OR PROGRAM AFFECTED: Local Governmental Employees' Retirement System.

EFFECTIVE DATE: July 1, 2011

BILL SUMMARY: Under the present law, general employees of cities and counties must have five years of membership service in order to qualify for disability retirement benefits, either as a result of an on-the-job injury or other injuries or illnesses. Law enforcement officers, firemen or rescue squad workers must have one year of membership service in order to qualify for disability retirement benefits resulting from an injury occurring while in the actual performance of duty and five years for non-work related injuries or illnesses. This bill will remove the one year requirement and make law enforcement officers eligible for disability benefits on the first day of employment for any disability occurring while in the actual performance of duty.

The bill also includes the North Carolina Sheriffs' Association in the definition of "Employer" in the Local Governmental Employees' Retirement System.

In the late 1990s, the law relating to the Local Governmental Employee's Retirement System allowed fire department to be members of the System, if they received any funding from a city or county. The result was that some fire departments, that were non-profit corporations, were allowed to participate in the System. A ruling from the Internal Revenue Service was later requested and, in 2001, the Internal Revenue Service ruled that allowing non-profit corporations to participate would jeopardize the tax qualifications of the System. Since then, there have been no new non-profit corporations allowed to participate in the Local System. Since the North Carolina Sheriff's Association is a non-profit corporation, this would be in direct violation of the 2001 ruling from the Internal Revenue Service.

ESTIMATED IMPACT ON LOCAL GOVERNMENTS:

Both the Retirement System's Actuary, Buck Consultants and the General Assembly's Actuary, Hartman & Associates estimate the cost for the change in the disability benefit to be 0.01% of the payroll for all law enforcement officers in the Local Government Employees' Retirement System.

	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
Local Funds	\$99,000	\$103,821	\$108,887	\$114,180	\$119,740

Both the Retirement System Actuary, Buck Consultants, and the General Assembly Actuary, Hartman & Associates, agree that there would be no cost as a result of adding the North Carolina Sheriffs' Association in the definition of "Employer" in the Local Governmental Employees' Retirement System since the Sheriffs' Association will be paying the normal cost for their employees.

ASSUMPTIONS AND METHODOLOGY:

Local Governmental Employees' Retirement System: The cost estimates of the System's Actuary are based on the employee data, actuarial assumptions and actuarial methods used to prepare the December 31, 2009 actuarial valuation of the fund. The data included 123,398 active members with an annual payroll of \$5.2 billion, 46,557 retired members in receipt of annual pensions totaling \$795.8 million and actuarial value of assets equal to \$17.7 billion. Significant actuarial assumptions used include (a) an investment return rate of 7.25% which includes inflation of 3%, (b) projected salary increases between 4.25% to 8.55% which includes inflation of 3.5%, (c) RP-2000 Mortality tables for retirees are set forward two years for male general employees, firemen and law enforcement and unadjusted for female general employees, (d) RP-2000 Mortality tables for disabled retirees are set back six years for males and set forward one year for females, (e) RP-2000 Mortality tables for active employees are set forward two years for male general employees, firemen and law enforcement officers and unadjusted for female general employees, (f) rates of separation from active service based on System experience. The actuarial cost method used was the frozen entry age. Gains and losses are reflected in the normal rate. Detailed information concerning these assumptions and methods is shown in the actuary's report, which is available upon request from Stanley Moore.

SOURCES OF DATA: Buck Consultants
Hartman & Associates, LLC

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910. The above information is provided in accordance with North Carolina General Statute 120-114 and applicable rules of the North Carolina Senate and House of Representatives.

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APPROVED BY: Lynn Muchmore, Director
Fiscal Research Division

DATE: June 15, 2011



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